

## **Justice of the Peace Court Re-opening Plan for Civil Locations**

This plan outlines the potential phases for the reopening of Justice of the Peace Court locations as the threats to exposure to the COVID-19 virus dissipate. It must be understood, that as the situation remains uncertain and ever changing, the Court and its employees must remain flexible and innovative in our approach to a return to standard business. The intention of this plan is to provide basic guidance as we move towards a more stable, consistent state of normal operations. Additionally, variations of these guidelines are likely from Court location to location based on a number of factors, not the least of which may be size and configuration of a particular location. Based on circumstances, the Court may find itself in multiple phases of this plan simultaneously. Additionally, after advancing to a particular phase of this reopening plan, the state of affairs may change, requiring the reversion to an earlier phase. The Court and its employees must be diligent to monitor and recognize those situations, and be prepared to make those adjustments as necessary.

### **Current Status of Case Processing since March 23, 2020 Minimal Staff in Locations**

The total number and age of filings to be processed in each civil location must be monitored and reported weekly. These figures shall be compiled by each County's JOM/Supervisor and sent to the Operations Manager weekly.

- Minimal clerical and Judicial staff only
  - Managers scheduling and tracking when clerical staff are on site
- Social distancing requirements in place and staff following safety protocols regarding disinfecting areas and hand washing
- Security staff conducting health screenings based on established protocol
- Functions of clerical staff while on premises
  - Opening, clocking in and entering any mail that can be handled at this point
  - Processing all Case Withdraws and Satisfied filings
  - Returning phone calls and answering questions of the public
    - Also responding to Court Emails
  - Entering returns for green cards
  - Entering returns for wage attachments
  - Accepting/Rejecting e-filings for Everything but LLT's
  - Preparing cases for when they can be processed
    - Making Copies of debts
    - Putting the Certified Envelope with each debt case
    - Adding Garnishee number to the Wage attachments
- As we prepare for handling items through video during Phase II and forward, need to determine equipment needs in each location
  - Video cameras for computers – 19 to have 1 on each bench and 1 on each judge pc in chambers
  - VPN/remote access for judges/clerical
  - Recording of video matters

- Method of electronic or digital signature by judge (if necessary)

**Phase I**  
**Opportunities for Case Resolution Prior to Reopening/Soft reopening to reduced number of staff.**  
**Could begin this Phase with approval of Chief Magistrate**

- All JP Court locations are staffed with clerical personnel who will answer telephone calls and process different case types using the below standards as a guide
  - JOMs/Clerical staff with remote access can assist with these functions, based on their access to the required technology
  - The processing/managing of these cases may differ from location to location based upon limitations of the facility itself and the number of staff and judges who can safely occupy the building while maintaining appropriate social distancing.
  - Each location will assist the other locations with case processing tasks when able to do so. JOMs/Clerical staff with remote access can assist with these functions, based on their access to the required technology
- Social distancing requirements in place and staff following safety protocols regarding use of masks, disinfecting areas and hand washing
- Number of staff able to safely occupy court locations (not including JOM/Supervisor in office):
  - Court 9: 2
  - Court 13: 5
  - Court 16: 4 – provided it's in keeping with the overall Kent County Courthouse plan
  - Court 17: 3
    - When the facility size does not allow for entire staffs to work at a location, managers will develop a staffing rotation plan to rotate assigned clerks through the court location
    - When assigning staff to work in rotations at locations or from home, managers should take into consideration any obstacles to staff members, such as the closing of schools, daycares, etc. and attempt to schedule those employees accordingly.
- Security staff conducting health screenings based on established protocol

Work that can begin to be processed during this Phase:

The total number and age of filings to be processed in each civil location must be monitored and reported to Operations Managers each week.

<b>Debt/ Trespass Cases - Acceptance and Entry of Cases</b>	
<b>Work to be Done</b>	All new filings to be accepted and entered as per standard procedure
<b>How to be Done -</b>	Cases to be accepted via E-flex

	<ul style="list-style-type: none"> <li>• Can be done via VPN access</li> </ul> <p>Paper filings, submitted with credit card information (MISC029) or Check.</p> <ul style="list-style-type: none"> <li>• Cases can be mailed/put in drop box or sent via Court Email</li> </ul>
<b>Questions/Challenges</b>	Courts will need to determine how to get deposits to the bank
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Constable/CSO to take deposit to bank <ul style="list-style-type: none"> <li>○ Can be coordinated with 24 hour locations to go with their daily deposit</li> </ul> </li> <li>• Additional staff in office to enter filings</li> </ul>
<b>Notes</b>	Having all cases entered in system will assist in compiling stats and make locating any unprocessed cases easier upon reopening

<b>Debt/ Trespass Cases - Service Issuance</b>	
<b>Work to be Done</b>	Accepted debt/trespass matters to be issued for service upon the defendant
<b>How to be Done</b>	<p>Service to be issued via:</p> <ol style="list-style-type: none"> <li>a. Certified Mail: All in-state individual Defendants</li> <li>b. Regular Mail: to Plaintiffs to serve on long arm Defendants (out of state)</li> </ol>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Service upon In-state Business Defendants is dependent upon Constable availability</li> <li>• State Mail to pick-up Certified Envelopes &amp; Long Arms?</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Additional staff in office to enter filings/issue service</li> </ul>
<b>Notes</b>	<p>Additional information to be collected from Defendants with answer form – indicating if they have access to Zoom/Skype, etc. and their Email address</p> <ul style="list-style-type: none"> <li>• CF07 has been altered to capture this information</li> <li>• This information still of value post-COVID 19</li> </ul>

<b>Debt/ Trespass Cases – Entry of Service Returns</b>	
<b>Work to be Done</b>	All service returns received by the Court to be clocked in and entered into Contexte by the clerk. This includes Green Cards and Certified Mail Returned by USPS and Long Arm Affidavits received via Eflex or Mail
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to open and clock in mail upon receiving at each Court location</li> <li>• Clerical staff to enter &amp; scan service return in Contexte according to standard procedures</li> </ul>

	<ul style="list-style-type: none"> <li>○ Unclaimed Service – requires issuance of COM</li> <li>○ Non-Est Service – requires issuance of CF09 letter via mail or Eflex</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• 20 day time period to answer shall be extended pursuant to Administrative Order <ul style="list-style-type: none"> <li>• Certificate of Mailings need to be taken to Post Office on day that postage is placed on them.</li> </ul> </li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Constable/CSO to take Certificate of Mailings to Post Office</li> <li>• Additional staff in office to enter filings</li> </ul>
<b>Notes</b>	

<b>Debt/ Trespass Cases – Entry of Answers Requesting Trial/Admissions</b>	
<b>Work to be Done</b>	All answers received by the Court to be clocked in and entered into Contexte by the clerk. This includes Admissions, Requests for Trials/BOP.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Answers to be accepted via Eflex – can be done remotely</li> <li>• Answers to be accepted via US Mail, Fax and Court Email <ul style="list-style-type: none"> <li>○ Clerical staff to clock in mail upon receiving at each Court location</li> </ul> </li> <li>• Clerical staff to enter &amp; scan Answer in Contexte according to standard procedures <ul style="list-style-type: none"> <li>○ Admissions – require entry of judgment <ul style="list-style-type: none"> <li>▪ Can be done by clerk without Judge</li> </ul> </li> <li>○ Trial Requests <ul style="list-style-type: none"> <li>▪ Require Scheduling or form of resolution</li> </ul> </li> </ul> </li> <li>• New information collected on CF07 (access to technology and email address) to be recorded as follows: <ul style="list-style-type: none"> <li>○ Email – clerk to enter in CPATELE</li> <li>○ Access to technology – clerk to add docket text to Answer docket code in CDADOCT accordingly or through new docket code</li> </ul> </li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• 20 day time period to answer shall be extended pursuant to Administrative Order</li> <li>• Scheduling limitations at this time and upon reopening <ul style="list-style-type: none"> <li>○ <b>Note: Extreme backlog may happen with scheduling of these matters upon reopening as LLT matters will take precedence.</b></li> <li>○ <b>May want to consider scheduling LLT 4 days and “other items” 1 day a week. This may help keep from a complete backlog in other items.</b></li> </ul> </li> </ul>

<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Determination of how scheduling to work upon reopening – this may vary by location</li> <li>• Add a new docket code for the inputting of whether party has access to technology</li> </ul>
<b>Notes</b>	<p>All previously issued summons will not have indication of access or email</p> <ul style="list-style-type: none"> <li>• Need to determine way to collect this information from all parties – May want to create a standard letter to collect this information and send out while we are waiting to schedule.</li> </ul>

<b>Debt/ Trespass Cases – Entry of Judgment by Admissions</b>	
<b>Work to be Done</b>	All answers admitting to debt/trespass judgments that are received by the Court to be clocked in and entered into Contexte by the clerk.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to enter and issue Judgment by Admissions according to standard procedures <ul style="list-style-type: none"> <li>○ Can be done by clerk remotely via VPN and printed to the Court for mailing</li> <li>○ Or, can be done by clerk on site and mailed</li> </ul> </li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Requires coordination between clerical staff if being done remotely – for printing/ mailing</li> <li>• Requires judgment to be mailed the same day it is entered.</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Potential additional VPN access</li> <li>• More staff on site</li> </ul>
<b>Notes</b>	

<b>Debt/ Trespass Cases – Issuance of Default Affidavits (CF13s)</b>	
<b>Work to be Done</b>	Clerks to issue all Default Affidavit's due to be issued through March 14, 2020
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to utilize CMATKLR and issue per standard procedures for all CF13s due to be issued through 3/14/20. <ul style="list-style-type: none"> <li>○ Can be done by clerk remotely via VPN <ul style="list-style-type: none"> <li>▪ Those requiring printing can be printed at Court location and mailed by onsite clerk</li> <li>▪ Those for E-filers to be uploaded to Eflex.</li> </ul> </li> <li>○ Or, can be done by clerk on site and mailed</li> </ul> </li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Requires coordination between clerical staff if being done remotely</li> </ul>
<b>Additional Resources Needed</b>	
<b>Notes</b>	

<b>Debt/ Trespass Cases – Entry of Judgment by Default (CF13s)</b>	
<b>Work to be Done</b>	All CF13s approved by Judge for entry of judgment to be entered and issued by clerk
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to accept and enter any CF13s filed with the Court <ul style="list-style-type: none"> <li>○ Filed through the mail</li> <li>○ Filed via Eflex – can be accepted remotely</li> </ul> </li> <li>• Clerical staff to send CF13s to Judge designated by County/Court for review <ul style="list-style-type: none"> <li>○ Can be done electronically by list of cases, or</li> <li>○ Can be done by giving paperwork to judge for review</li> </ul> </li> <li>• Once approved/denied, answer to be entered by clerk on CDADOCT per standard procedures</li> <li>• Clerk to issue judgment on docket/case according to standard procedures <ul style="list-style-type: none"> <li>○ Judgment to be printed and mailed <ul style="list-style-type: none"> <li>▪ Can be done by clerk remotely via VPN <ul style="list-style-type: none"> <li>• Those requiring printing can be printed at Court location and mailed by onsite clerk</li> </ul> </li> <li>▪ Or, can be issued by clerk onsite</li> </ul> </li> <li>○ Requires use of Judge’s electronic signature <ul style="list-style-type: none"> <li>▪ Can use /s/ format, or</li> <li>▪ Insert Imaged version of signature when judges agree to this</li> </ul> </li> </ul> </li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Requires judge to have VPN access if not reviewing onsite, or judge to be onsite for review</li> <li>• If clerk entering remotely, not capable of scanning judicial answer <ul style="list-style-type: none"> <li>○ If sent by electronic list, clerk capable of importing judicial answer remotely – including Emails</li> </ul> </li> <li>• Judicial approval for use of electronic signature/Image of signature</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Potential additional VPN access <ul style="list-style-type: none"> <li>○ For Judges and/or Staff</li> </ul> </li> <li>• More staff on site – Judges and/or Staff</li> </ul>
<b>Notes</b>	

<b>Debt/ Trespass Cases – Entry of Stipulated Agreements/Judgments</b>	
<b>Work to be Done</b>	All Stipulated agreements and Stipulated Judgments filed on debt/trespass cases to be accepted on case, sent for judicial review and upon judicial approval, entered on docket.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to accept and enter any Stipulation Requests filed with the Court <ul style="list-style-type: none"> <li>○ Filed through the mail</li> <li>○ Filed via Eflex – can be accepted remotely</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Clerical staff to send Stipulation Request to Judge designated by County/Court for review. <ul style="list-style-type: none"> <li>○ Can be done electronically by list of cases, or</li> <li>○ Can be done by giving paperwork to judge for review</li> </ul> </li> <li>• Once approved/denied, answer to be entered by clerk on CDADOCT per standard procedures</li> <li>• Clerk to Enter approved stipulation on docket/case according to standard procedures</li> <li>• Requires use of Judge's electronic signature <ul style="list-style-type: none"> <li>▪ Can use /s/ format, or</li> <li>▪ Insert Imaged version of signature when judges agree to this</li> </ul> </li> <li>○ Final version with signature to be printed and mailed <ul style="list-style-type: none"> <li>▪ Can be done by clerk remotely via VPN <ul style="list-style-type: none"> <li>• Those requiring printing can be printed at Court location and mailed by onsite clerk</li> </ul> </li> <li>▪ Or, can be issued by clerk onsite</li> </ul> </li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Requires judge to have VPN access if not reviewing onsite, or judge to be onsite for review</li> <li>• If clerk entering remotely, not capable of scanning judicial answer <ul style="list-style-type: none"> <li>○ If judicial answer sent electronically, clerk capable of importing judicial answer remotely – including Emails</li> </ul> </li> <li>• Judicial approval for use of electronic signature/Image of signature</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Potential additional VPN access <ul style="list-style-type: none"> <li>○ For Judges and/or Staff</li> </ul> </li> <li>• More staff on site – Judges and/or Staff</li> <li>• Access to Zoom for judges/litigants <ul style="list-style-type: none"> <li>○ Use of Zoom for “mediation” and assistance to parties in cases where an agreement is desired.</li> </ul> </li> </ul>
<b>Notes</b>	Assists in the disposal of many pending debt/trespass cases

<b>Debt Cases – Schedule to be Heard through Video</b>	
<b>Work to be Done</b>	Simple Debt cases to be heard by a judge
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerks to work with judges to determine which cases are considered simple debt cases</li> <li>• For older cases, letter to be sent to parties seeking email addresses and asking whether parties have capability to participate in video hearing <ul style="list-style-type: none"> <li>○ CF07 already altered to capture this information for more recently filed cases</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>• Once court starts to receive responses, dates/times scheduled for video hearings for those with capability and notices mailed to parties <ul style="list-style-type: none"> <li>○ Court 17 can be used to pilot</li> </ul> </li> <li>• An additional trial notice to be developed for Contexte to be used for cases heard using Zoom to include Zoom meeting invite and consequences should a party not appear for the hearing</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Access to this process for anyone needing an interpreter</li> <li>• May require clerk to log into Zoom hearing as co-host to assist judge with managing any documents or parties in waiting room or breakout rooms</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Webcams to be purchased and installed on computers in courtrooms</li> <li>• May need webcams for clerical staff if they are needed to co-host the video matters</li> <li>• Access to Zoom for judges/litigants</li> <li>• Training for clerks and judges on using Zoom for hearings</li> <li>• Will need to develop cheat sheet for judges with tips for using Zoom and things to remember for hearings</li> </ul>
<b>Notes</b>	Assists in the disposal of many pending debt/trespass cases

<b>All Case Types – Accepting and Issuing Certified Copies</b>	
<b>Work to be Done</b>	All pending and newly filed Certified Copy (Transcript) requests to be approved and processed by the clerk then sent for judicial approval/signature.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to accept and enter any Certified Copy Request filed with the Court <ul style="list-style-type: none"> <li>○ Filed prior to closing and pending</li> <li>○ Filed through the mail – payment to be processed (Check/MO)</li> <li>○ Filed via Eflex – can be accepted remotely</li> </ul> </li> <li>• Clerical staff to prepare Transcript paperwork and send to Judge designated by County/Court for review. <ul style="list-style-type: none"> <li>○ Can be done electronically, or</li> <li>○ Can be done by giving paperwork to judge for review</li> </ul> </li> <li>• If approved, Clerk to use Judge’s Electronic signature on document and signed form to be uploaded to docket with judges signature</li> <li>• Final copy to be uploaded to docket based on standard procedures <ul style="list-style-type: none"> <li>○ If requested by paper filer, copy to be printed and mailed by onsite clerk</li> </ul> </li> </ul>



<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Requires coordination between clerical staff if being done remotely</li> <li>• Constable/CSO to deliver deposit to the bank <ul style="list-style-type: none"> <li>○ Can be coordinated with 24 hour locations to go with their daily deposit</li> </ul> </li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Potential additional VPN access <ul style="list-style-type: none"> <li>○ For Judges and/or Staff</li> </ul> </li> <li>• More staff on site – Judges and/or Staff</li> </ul>
<b>Notes</b>	

<b>All Case Types – Issuance of Wage Attachments</b>	
<b>Work to be Done</b>	All pending/filed wage attachments to be reviewed by Judge and Issued to Employers
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Clerical staff to accept and enter any Wage Attachments filed with the Court <ul style="list-style-type: none"> <li>○ Filed prior to closing and pending</li> <li>○ Filed through the mail</li> <li>○ Filed via Eflex – can be accepted remotely</li> </ul> </li> <li>• Clerical staff to send Wage Attachment Request to Judge designated by County/Court for review. <ul style="list-style-type: none"> <li>○ Can be done electronically by list of cases, or</li> <li>○ Can be done by giving paperwork to judge for review</li> </ul> </li> <li>• Once approved/denied, answer to be entered by clerk on CDADOCT per standard procedures</li> <li>• Clerk to use Judge’s Electronic signature on document and signed form to be uploaded to docket with judges signature</li> <li>• Approved Wage Attachment to be sent to Garnishee via USPS – standard procedure</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• Businesses that are closed – will they get the mail?</li> <li>• If Defendant/employees not working <i>now</i>, wages can’t be attached but may be valid once reopened. <ul style="list-style-type: none"> <li>○ Will this result in many unnecessary Non-Ests?</li> </ul> </li> <li>• May include payment (check/MO) that will need to be deposited with the bank</li> <li>• There could be an increased postage cost to the Court with the large number of mailing expected to be done once scheduling matters resumes – need to ensure funds available</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Potential additional VPN access</li> <li>• More staff on site</li> <li>• Constable/CSO to deliver deposit to the bank</li> </ul>

	<ul style="list-style-type: none"> <li>○ Can be coordinated with 24 hour locations to go with their daily deposit</li> </ul>
<b>Notes</b>	

<b>Abandoned Properties – to be issued</b>	
<b>Work to be Done</b>	<ul style="list-style-type: none"> <li>• Pending Abandoned Property cases to be reviewed.</li> <li>• Process new Abandoned Property cases.</li> </ul>
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• Pending Abandoned Property cases may only need to be reviewed to see if all services were completed and all required documents were filed. Orders can be issued if all requirements are met.</li> <li>• New Abandoned Property Cases would need to be processed. Judicial review and issue service if approved</li> </ul>
<b>Questions/Challenges</b>	
<b>Additional Resources Needed</b>	
<b>Notes</b>	

<b>LLT Cases – Acceptance and Entry of Cases</b>	
<b>Work to be Done</b>	<ul style="list-style-type: none"> <li>• For all cases already filed &amp; accepted, send a letter to the parties regarding the Court potentially handling certain matters through video and asking about technological capabilities – can this be done through e-filing system?</li> <li>• All pending filings to be accepted and entered as per standard procedure.</li> </ul>
<b>How to be Done</b>	<p>Cases to be accepted via E-flex</p> <ul style="list-style-type: none"> <li>• Can be done via VPN access</li> <li>• Cases with credit card used for payment and the case was filed more than 10 days before it's acceptance will follow the process established for deferring acceptance and awaiting resubmission of payment</li> </ul> <p>Paper filings to be accepted</p>
<b>Questions/Challenges</b>	<p><b>Dependent upon Governor revising Order to allow filings</b></p> <p>Will credit card payments still be valid?</p>
<b>Additional Resources Needed</b>	
<b>Notes</b>	<p>Having all cases entered in system will assist in compiling stats and leave time and resources available for scheduling upon reopening. Will also assist parties in allowing possible resolution through ADR.</p>

<b>LLT Cases – Offer Alternative Dispute Resolution through Video</b>	
<b>Work to be Done</b>	Judges to mediate between parties to work towards resolution.

<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• For cases accepted and pending since court closure - Letter to be sent to parties verifying their intention to proceed and seeking email addresses and whether parties have capability to participate in a video proceeding</li> <li>• For cases filed after court closure - Letter to be sent to parties verifying their intention to proceed and offering mediation and seeking email addresses and whether parties have capability to participate in a video proceeding</li> <li>• Judges to act as mediators will be selected by Chief Magistrate/DCMs and given training in mediation</li> <li>• Once court starts to receive responses from parties, dates/times scheduled for video mediation for those with capability and notices mailed to parties</li> <li>• Mediation to be held through Zoom <ul style="list-style-type: none"> <li>○ Breakout rooms can be used to separate parties</li> </ul> </li> <li>• Mediation can be done by judge offsite</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• <b>Dependent upon Governor revising Order</b></li> <li>• Access to this process for anyone needing an interpreter</li> <li>• May require clerk to log into Zoom hearing as co-host to assist judge with managing any documents or parties in waiting room or breakout rooms</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• ADR Process to be established</li> <li>• Judges acting as mediators will need VPN/remote access as well as access to video capability at offsite location</li> <li>• Access to Zoom for judges/litigants</li> <li>• Notice to parties edited to include Zoom hearing information <ul style="list-style-type: none"> <li>○ Will need to develop cheat sheet for judges with tips for using Zoom and things to remember for mediation</li> </ul> </li> </ul>
<b>Notes</b>	

#### Phase I Overall Questions:

- Once we know a reopen date, locations can start scheduling dates for in court matters to be heard in person, garagekeepers, abandoned property, replevin

**Phase II**  
**Reopening of Civil Locations to the Public (Limited Numbers)**  
**Reopening to be determined by Order permitting public access**

- Staffing – numbers and safety protocols are the same as in Phase I
  - Possible increase to number of staff in a location as long as following safety guidelines
  - When the facility size does not allow for entire staffs to work at a location, managers will develop a staffing rotation plan to rotate assigned clerks through the court location
  - When assigning staff to work in rotations at locations or from home, managers should take into consideration any obstacles to staff members, such as the closing of schools, daycares, etc. and attempt to schedule those employees accordingly.
- Exact numbers of the public permitted in the court locations would be restricted by orders from Governor, Chief Justice and/or Chief Magistrate
  - Social distancing still required
    - Number of persons who can safely occupy lobby space with social distancing is as follows:  
Court 9 – 2  
Court 13 – 10-15  
Court 16 – 1 but public may line up in the hallway (will need to be coordinated with Capital Police)  
Court 17 – 10-12 (will need to be coordinated with Court 3)
  - Health screenings possibly required for public as well as employees
    - If health screening required for the public, process for the screenings will be established by Uniform Services personnel
  - Public Access to Court locations
    - Lobbies must be arranged to account for 6' spacing between litigants
    - Coordinate with Uniformed Services (and JP 16 to also work with Capital Police)
    - If lobby is at maximum determined occupancy, other methods to ensure social distancing can be utilized
      - Record litigant name and telephone number and have them wait in car until called?
- Options for limiting numbers of public permitted in court locations at given times
  - Court locations to work with sister locations to determine number of courtrooms available (Ex: JP 17 shares a courtroom with JP 3)
  - Continue methods of disposing of cases through virtual methods, detailed in Phase I, which could reduce number of litigants required to appear in court
  - Expanded hours
    - To address backlogged cases and limit on the number of litigants permitted to enter the locations at any given time, pending cases that cannot be resolved virtually, may be scheduled on hours not normally used for scheduling of such cases at the various locations
    - Cases to be considered for scheduling off hours and plans for staffing those hours must be recommended by location managers to the operations managers who will consult with the appropriate DCM to determine plan feasibility and judicial availability to staff the hours

The total number and age of filings to be processed in each civil location must be monitored and reported weekly. These figures shall be compiled by each County's JOM/Supervisor and sent to the Operations Manager weekly.

In addition to the work being done through Phase I, locations would begin the following:

<b>LLT – Scheduling for in person and by video</b>	
<b>Work to be Done</b>	LLT matters to be scheduled for hearing either in person or by video – both types can run simultaneously using courtrooms and chambers
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• For in person hearings - oldest cases scheduled first</li> <li>• An additional trial notice to be developed for Contexte to be used for cases heard using Zoom to include Zoom meeting invite and consequences should a party not appear for the hearing</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>• What is appropriate scheduling so as to not overwhelm judges and clerks?</li> <li>• Can a case be scheduled by video if a party needs an interpreter?</li> <li>• Can a hearing be held with 1 party in person and 1 party appearing by video?</li> </ul>
<b>Additional Resources Needed</b>	<ul style="list-style-type: none"> <li>• Need webcams installed on judges' pcs in chambers</li> <li>• Need FTR installed on pcs in chambers or another method for recording</li> <li>• Training for clerks and judges on using Zoom for hearings</li> </ul>
<b>Notes</b>	

<b>Writs of Possession</b>	
<b>Work to be Done</b>	All pending and new requests for Writs of Possession to be accepted and processed.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>• New filings to be accepted via E-flex and paper filed.</li> <li>• Clerk to process the paperwork and put in Constables bin to issue service.</li> <li>• Constables will follow their established best practices for COVID-19 safety when executing Writ</li> </ul>
<b>Questions/Challenges</b>	Will need to coordinate with the Constables to determine how many cases they can serve in a day

	or week. We may need to process X amount of Writs a week.
<b>Additional Resources Needed</b>	
<b>Notes</b>	

<b>Garagekeepers – to be issued</b>	
<b>Work to be Done</b>	Reissue pending Garagekeepers and process new Garagekeepers. <ul style="list-style-type: none"> <li>For a pending matter, where the sale date has passed, the matter will have to be rescheduled and Garagekeeper will have to do a new advertisement with a new date and postings.</li> </ul>
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>Schedule new dates for pending Garagekeeper cases and send out notices.</li> <li>Schedule dates for new Garagekeeper cases and send out notices.</li> <li>Possibly schedule 90 days in advance instead of 60 days to give more time for greater numbers of people to be permitted to gather</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>What is the number of people allowed to gather together?</li> <li>Does this sale need to be scheduled for a time when that number is unlimited?</li> <li>Can the sale be held virtually or through some combination of virtual and in person?</li> </ul>
<b>Additional Resources Needed</b>	
<b>Notes</b>	

<b>Replevin – to be scheduled</b>	
<b>Work to be Done</b>	Re-schedule pending Replevins and schedule new filings
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>Reschedule, issue summons and re-issue service on pending Replevins that were stayed.</li> <li>Process new Replevins – Schedule for trial, issue summons and issue service</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>Constables are usually the third service in this process. They will only serve Replevins if the first two service were unsuccessful.</li> <li>They would however have to serve a Writ of Replevin if the parties do not resolve the matter.</li> </ul>

	<ul style="list-style-type: none"> <li>Constables will follow their established best practices for COVID-19 safety when executing Writ</li> </ul>
<b>Additional Resources Needed</b>	
<b>Notes</b>	

<b>Constable Sales – to be Scheduled</b>	
<b>Work to be Done</b>	Reschedule pending Constable Sales and schedule new Constable Sale requests.
<b>How to be Done</b>	<ul style="list-style-type: none"> <li>Clerk will provide the Constable cases that requires dates and times for sales.</li> <li>Constable will provide clerk with the date and time of sale.</li> <li>Clerk will schedule and send out notices.</li> <li>Possibly schedule 90 days in advance instead of 60 days to give more time for greater numbers of people to be permitted to gather</li> <li>Constable will perform sale on schedule date.</li> </ul>
<b>Questions/Challenges</b>	<ul style="list-style-type: none"> <li>What is the number of people allowed to gather together?</li> <li>Does this sale need to be scheduled for a time when that number is unlimited?</li> <li>Can sale be held virtually or through some combination of virtual and in person?</li> <li>May still require social distancing.</li> <li>Constable would have to insure that all participants were complying with social distancing. This may require a second constable to help control the social distancing while the other performs the sale.</li> </ul>
<b>Additional Resources Needed</b>	Additional constables on site during a sale
<b>Notes</b>	

**Phase II Overall Questions:**

- Access to technology by litigants
- Must keep any sale open to the public in accordance with any Governor Order and/or social distancing requirement existing at that time

### **Phase III**

#### **Civil Locations Open to the Public in Larger Numbers – *New Normal***

- Larger numbers of the public allowed access to the JP Court facilities or no limit on numbers of the public allowed access to JP Court facilities
  - Social distancing no longer required
  - Health screenings no longer required for public or employees
- Options for Limiting Numbers
  - While there are no requirements for the restriction of litigants required to appear at Court locations, the Court can still reduce these numbers and allow for more convenient and efficient methods of resolving cases based on the lessons learned while in the previous three phases.
  - The continued use of these methods will be reviewed and considered for use under special circumstances, or on a more regular basis, depending on Court needs.

The total number and age of filings to be processed in each civil location must be monitored and reported weekly. These figures shall be compiled by each County's JOM/Supervisor and sent to the Operations Manager weekly.

Use of video in lieu of in person appearances continues as an option for parties.  
If established, ODR/ADR process continues to be utilized.